



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

300 Westgate Center Drive  
Hadley, MA 01035-9589



In Reply Refer To:  
FWS/Region 5/ES-TE

JUL 20 2010

Ms. Mollie Matteson  
Conservation Advocate  
Center for Biological Diversity  
P.O. Box 188  
Richmond, Vermont 05477

Dear Ms. Matteson:

This responds to your June 23, 2010, notice of intent to sue (NOI) letter to the Secretary of the Interior, alleging violations of the Endangered Species Act. Your NOI letter has been forwarded to us for direct response. Your NOI cites our failure to make 90-day findings on your January 21, 2010, petition to list the eastern small-footed bat (*Myotis leibii*) and the northern long-eared bat (*Myotis septentrionalis*) as endangered species and to designate critical habitat.

The U.S. Fish and Wildlife Service (Service) has assigned the lead for the eastern small-footed bat to the Northeast Region (Region 5) and the lead for the northern long-eared bat to the Midwest Region (Region 3). Although completing 90-day findings for these species within 90 days of receipt of the petition was not practicable, these Regions were recently allocated funding to work on the findings and have begun reviewing the information in your petition and compiling information from Service offices within each species' range.

Thank you for your interest in conserving bats. If you have any questions, please contact Martin Miller, Chief, Division of Endangered Species, Region 5, at 413-253-8615, or T.J. Miller, Endangered Species Coordinator, Region 3, at 612-713-5334.

Sincerely,

Marvin E. Moriarty  
Acting Regional Director